

COURTESY COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE FACEBOOK IPO SECURITIES AND
DERIVATIVE LITIGATION

MDL NO. 12-2389

MICHAEL ZACK, on behalf of himself and all
others similarly situated,

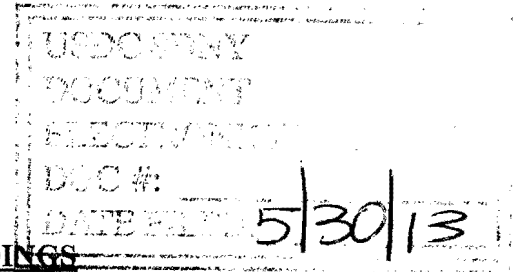
Plaintiff,

v.

CASE NO. 12-CV-6439-RWS

NASDAQ OMX GROUP, INC., and THE
NASDAQ STOCK MARKET LLC,

Defendants.



STIPULATION TO STAY PROCEEDINGS

Plaintiff, Michael Zack, and Defendants, The NASDAQ OMX Group, Inc. and
The NASDAQ Stock Market LLC (collectively, "NASDAQ"), by their undersigned counsel,
hereby stipulate and agree as follows:

1. This action is one of eleven class actions filed against NASDAQ relating to
the initial public offering ("IPO") of Facebook, Inc. common stock. It is before this Court on
removal from the Supreme Court in and for the State of New York, New York County, where it
was originally filed on August 7, 2012. (Dkt. No. 1).


2. On April 30, 2013, lead plaintiffs in the consolidated class actions against
NASDAQ (in which the Zack case is not consolidated) filed their Consolidated Amended Class
Action Complaint. (MDL No. 12-2389, Dkt. No. 95) ("Consolidated Class Action Complaint").

COURTESY COPY

3. In view of the fact that the plaintiff and the putative class in this action contain claims which may overlap the claims in the Consolidated Class Action Complaint, the parties to this action agree that this action should not proceed prior to, at minimum, a determination of the motion to dismiss in the consolidated IPO action.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that this action be stayed pending determination of the Defendant's Motion to Dismiss the Consolidated Class Action Complaint, at which time the parties herein and the Court will revisit whether further extension of the stay is warranted.

Dated: May²⁴, 2013



Howard T. Longman (HL-2489)
STULL, STULL & BRODY
6 East 45th Street
New York, NY 10017
Telephone: (212) 687-7230
Facsimile: (212) 490-2022
hlongman@ssbny.com

Counsel for Plaintiff, Michael Zack



William A. Slaughter (Pa. ID 30637)*
Stephen J. Kastenberg (Pa. ID 70919)* Paul
Lantieri III (Pa. ID 88160)* BALLARD
SPAHR LLP 1735 Market Street, 51st Floor
Philadelphia, PA 19103 Telephone: (215)
665-8500 Facsimile (215) 864-8999
slaughter@ballardspahr.com
kastenberg@ballardspahr.com
lantierip@ballardspahr.com

*Counsel for Defendants,
The NASDAQ OMX Group, Inc. and The
NASDAQ Stock Market LLC*

** Admitted pro hac vice*

*S o ordered
Sweet USDJ
5-29-13*